

MAIL SUBSIDIES TAKEN TO COURT SPEAKER NIXON DEMANDS HOME RULE FOR CITIES GOV. HIGGINS SEEKS TO SAFEGUARD BALLOT.

Pretty Mary Reid Says Her Long Island City Swain, Henry Hertzel, Refuses to Marry Her, as Promised.

PROPOSED BY "SUITABLE WORDS OR OTHERWISE."

10,000 Is the Sum She Would Like as Reparation and as Compensation for a Wasted Three Years.

Beautiful Mary Reid, a Long Island City swain, with a good business in her own right, monopolized her society for three long years—the best three years of her young womanhood, too—before she met, leaving her still a virgin, a young dresmaker, of No. 172 East Eighty-second street, demands damages to her heart, and her prospects in life, in the suit brought to trial before Justice Amend and a jury in the Supreme Court, this afternoon, by Jeremiah A. O'Leary.

Mrs. Reid is tall and shapely. She would be her own dresmaking model, the charges that the fickle Long Island City man courted her assiduously, and by suitable words or otherwise proposed to her and promised to marry her husband. But after three years, during which all the other eligible young men were kept aloof, he changed his mind and broke the engagement Aug. 2, 1902, and left her to become a dresmaker.

A civil action has resulted in causing inconvenience to me," says Miss Reid in her complaint, for, she says, she proposed to her and promised to marry her husband. But after three years, during which all the other eligible young men were kept aloof, he changed his mind and broke the engagement Aug. 2, 1902, and left her to become a dresmaker.

POLICEMAN WHO EARNED MANY MEDALS ARRESTED.

Michael J. Coyne Accused by a Jeweller of the Larceny of a Diamond Ring.

Policeman Michael J. Coyne, who wears a hatful of medals awarded him for bravery in saving lives, among them a warrant charging him with grand larceny, a jewelry peddler, of No. 100 West 100th street, who accuses Coyne of stealing a diamond ring, was arrested today by Police Court Judge J. J. McGuire, who held him in \$500 bail for examination on Jan. 11. The accused policeman said that he could explain the disappearance of the ring.

ROOSEVELT TO CUT THE CANAL COMMISSION.

President Board Could Do More with Five than Seven Members, the Argument.

WASHINGTON, Jan. 4.—Reduction of the personnel of the Isthmian Canal Commission rather than the complete abolition of the commission is the plan which probably will be adopted if the ideas of high officials of the Administration, including influential members of the Senate and House, are followed.

That the present commission is hampered by numbers is generally admitted. It is declared that the machinery would move more speedily and with far less friction if the commission consisted of five members instead of seven, and some of the high officials are in favor of a commission of five, which should reserve to itself executive powers.

WELL COMING HERE, BUT PLATT STAYS AT CAPITAL.

Chairman Will Help Fix Up the Committee State To-Morrow.

Senator Platt will not attend. He is in Washington, but before he went away he said he would return if his services were needed. Unless things change themselves overnight in a manner pleasing to the Platt interests the Senator will remain in Washington.

SHIPPING NEWS.

ALBANY FOR TO-DAY.

PORT OF NEW YORK.

ARRIVED.

INCOMING STEAMSHIPS.

DEPARTING.

OUTGOING STEAMSHIPS.

ARRIVED.

DEPARTING.

Naval Volunteer Service and General Upbuilding of the Merchant Marine Asked by Board Appointed by Congress

WASHINGTON, Jan. 4.—Subventions of \$5 per gross ton annually; subsidies for the carrying of mails from Atlantic Coast and Gulf of Mexico ports to South and Central America and Cuba, and from Pacific Coast ports to Japan, China, the Philippines, Mexico, Central America and the isthmus of Panama; a tonnage tax on foreign vessels entering United States ports; the creation of a naval volunteer service, and the encouragement of apprentices on ships in foreign trade, are provided for in a bill agreed upon by the Joint Merchant and Marine Commission, which submitted its report to Congress to-day.

The commission, composed of five senators and five representatives, was created during the last session of Congress in response to a recommendation by President Roosevelt in his annual message Dec. 7, 1903.

An exhaustive investigation was made by the commission of the conditions of the American merchant marine and American commerce with a view to ascertaining the most feasible means for their development. Hearings were conducted during the year at nearly all the important shipping and commercial centers in the United States.

The report of the commission contains more than 355,000 words and is made up of references to the important testimony taken, estimates of the annual cost of the methods proposed to restore the merchant marine, and an urgent appeal for the passage by the present Congress of the bill presented with the report.

RAILWAYS UNDER GOVERNMENT

Senator Newlands Introduces a Bill Aimed at National Control of Interstate Roads and Provides for a Commission.

WASHINGTON, Jan. 4.—Senator Newlands to-day introduced in the Senate a joint resolution providing for a Commission with instructions to frame and report to Congress a national incorporation act for the construction and consolidation of railroads employed in interstate commerce.

The resolution, the Senator says, has nothing whatever to do with the recent suggestions of Commissioner Garfield, which, he said, simply covered the question of licenses to manufacturing corporations engaged in interstate commerce.

Its purpose, he said, is to unify and simplify the railroad systems of the country, to place such systems under national control, to make the taxes fixed and certain, and to make dividends certain, so that hereafter any increase of business may tend mathematically rather to a betterment of the roads, or an increase in wages, or a diminution in rates.

The resolution, the Senator says, puts in concrete form certain lines of action made by him in the examination of H. P. Bacon, chairman of the legislative committee of the Interstate Commerce Law Convention, before the Interstate Commerce Committee of the Senate, and was drawn pursuant to the suggestion of members of that committee that it should be presented in some form to the Senate for discussion.

The commission is to consist of four members, one experienced in railroad traffic management to be appointed by the President, one an attorney-at-law to be appointed by the Attorney General, two experts in transportation, one to be appointed by the Secretary of Commerce and Labor and one by the Interstate Commerce Commission, five Senators and five members of the House.

Among the provisions of the National Incorporation act to be framed by the commission are: For the construction of interstate railroads and the consolidation of railroads engaged in interstate commerce and purchase of connecting or intersecting lines, the amount of bonds and stock to be issued for construction, consolidation, betterment, and purchase to be approved by the Interstate Commerce Commission, and not to exceed the actual cost of construction or the actual value of the railroad consolidated or purchased.

For the classification by the railroads of all freight into general and special rates and the reasonable rate for each railroad for each class of freight and of the rates of fare for passengers for the railroad for each class of service and rates.

TRANSPOSER REDUCES BID FOR ANCHORAGE \$40,000.

Blunder Causes Postponement of Affairs Pertaining to Final Award of Contracts.

Bridge Commissioner Best has placed for a few good "figure transposers." It is a new designation for an old job, and applies to an accountant who makes mistakes in his mathematical deductions. One of them did, with a single stroke of his pen, earned the city \$40,000, and the Commissioner says if he can procure more such talent he can make the best showing ever in his department for the coming year.

When the Commissioner invited bids for the building of the anchorages of the proposed new Manhattan bridge six answers were received. In the transposition of the amounts of the bids the "champion transposer" adroitly reduced one of the bids just \$40,000 and the prospective contractor came along and counterbalanced his bid, unmindful of the transposition. His bid was accepted on the transposer's figures.

Business Begins in Both Houses and Many Bills Are Introduced.

ALBANY, N. Y., Jan. 4.—Home rule for New York and other cities was the keynote of the speech delivered to-day by Speaker Nixon when he again took the oath to preside over the Assembly.

He was chosen for the seventh consecutive time and received a warm welcome from the members.

In beginning his speech Mr. Nixon referred to last year's increased appropriation for schools and the great importance of education of all kinds to the State; to forest preservation; to the needs of the State's highways, and recommended the passage of legislation for the relief of voters distant from home at election time.

Relief Bill Needed.

Turning to the subject of newspaper libel, Speaker Nixon said: "A bill to relieve publishers of the presumption of malice when they happen to print an erroneous news item alleged to be libellous, by allowing relief from that presumption on the payment of a conspicuous correction, passed the Assembly last year, but failed in the Senate."

"I am convinced that the publishers who asked for that bill sought only fair treatment in cases where they are prosecuted for blackmailing purposes. The construction of a modern newspaper combines so many different agencies for news gathering that errors will appear, and where all possible reputation is promptly made editorially it seems to me that compensatory damages should satisfy the plaintiff, and punitive damages should not be indicated."

"In this connection I am moved to mention the flippant manner in which telegraphic correspondents sometimes asperse the motives and character of members of both houses of the Legislature. I cast no reflection upon the body of legislative correspondents. I have known them, all year after year, and, as a rule, have found them eminently fair and desiring to send only accurate reports. It is the very few exceptions that have proved the rule. I commend the great body of newspaper workers at Albany for their industry and enterprise and loyal good-fellowship."

Vote for Women.

Speaker Nixon recommended legislation to permit women taxpayers "to vote on all tax propositions, and I believe that every community would be benefited by the vote of such women. They are a conservative, conscientious, patriotic and intelligent class, and the more voters of that kind we have at the polls the better for the commonwealth. They are asking only what is reasonable and right."

"I am heartily in favor of all the home rule that can be given New York City, and I believe that the State is not vitally interested. I wish the same amount of home rule also to be extended to the other cities of the State. A great amount of time here is occupied with legislation that would be more wisely framed and more wisely carried out by the supervisors in the counties affected."

In Favor of Good Roads.

On the subject of road improvement, the Speaker said: "The subject of good roads is being agitated more and more in connection with the proposition to bond the State for \$50,000,000 for road improvement. This sum, it is estimated, will improve 75 miles of the State's roads. It is unfortunate that no plan has yet been devised to make a good road, such as the State Engineer recommends, for less than \$400 per mile, and after that kind of a stone road is built it soon needs expensive repairs; it becomes a ruin into ruins and the material is rapidly being consumed. It is a pity that it is constantly sprinkled."

"If some kind of steel tracks could be laid down which would accommodate a farm wagon and reduce the necessary drawing power to a minimum it would be a great improvement. But this is the subject of a study still favor the crushed stone roadbed, and no other plan is available for less than \$400 per mile, and after that kind of a stone road is built it soon needs expensive repairs; it becomes a ruin into ruins and the material is rapidly being consumed. It is a pity that it is constantly sprinkled."

Some of the bills introduced in the Senate were:

By Senator Ambler—To repeal the act relating to the Board of Water Supply.

By Senator Page—To repeal the law on savings banks surplus and undivided profits, as recommended by Gov. Higgins.

The Senate adjourned at 12:15 until 3:30 next Wednesday night.

LIGHT PLANT B.L. IN EARLY AT ALBANY.

(Special to The Evening World.)

ALBANY, N. Y., Jan. 4.—A batch of New York City bills was introduced in the Legislature to-day by Tammany leaders.

One of the bills, which came from the Mayor's office, provides for a municipal lighting plant and authorizes the city to sell electricity and water to communities or concerns outside the city. Another bill extends the power of the city to use the subway for pipes and increases the amount of special bonds which the city may issue in emergencies from \$1,000,000 to \$2,000,000.

The bill for a permanent water supply provides that the Mayor shall appoint a Commission of three persons, to be known as the Board of Water Supply. One is to be elected by the Mayor, one by the Board of Aldermen, and one by the Chamber of Commerce.

The salary of each Commissioner is to be \$12,000 a year.

GOV. HIGGINS SHOWS THAT HE CONTROLS

ALBANY, Jan. 4.—Gov. Higgins, the five feet five retail grocer of Chautauque County, has furnished positive proof that he can swing a sledge with effective vigor. He headed off no less than a dozen rebels aimed at his person last night. Had he not done so, the organization of both branches this morning would not have been as harmonious as they turned out to be. As it was, the meeting of both houses was as peaceful as a Quaker meeting.

S. F. NIXON, WHO WAS AGAIN ELECTED SPEAKER TO-DAY



SPEAKER S. F. NIXON

gramme convinces the most sceptical that he will stand by Odell in return for the latter's championship of his cause at the Saratoga convention in September. He also convinced them that while the little man from Chautauque will not permit any combination, as they say in Rome, of "the worst of it, he is equally determined not to countenance the championship of the fellows who framed up the job to put Odell out of business."

The indications are that the session will be prolific of some sensational work on the part of the lobby and its allies in both branches of the Legislature, particularly if Odell keeps out of the way.

Public house to-day does not suggest any reform in either the promotion or prevention of legislation. In the Senate, Buckwheat, for Editor of Chautauque (population, 5,000), was selected as the majority leader, or "whip," of the body, as they say in Rome, of "the worst of it, he is equally determined not to countenance the championship of the fellows who framed up the job to put Odell out of business."

The real work of leadership will fall upon the angular McCarran, who will keep a faithful eye upon all measures aimed at his friends, the Democrats. The members of the Legislature, who will be the majority leader, or "whip," of the body, as they say in Rome, of "the worst of it, he is equally determined not to countenance the championship of the fellows who framed up the job to put Odell out of business."

LEGISLATORS BEGIN WORK OF SESSION.

ALBANY, Jan. 4.—The Legislature began sessions in both houses to-day, as usual, in the midst of a gorgeous display of flowers sent to the various members by admiring constituents.

Back of Speaker Nixon's desk was a floral design bearing the figure "7," in recognition of his election to the Speakership for the seventh consecutive year, thus far surpassing previous records, no previous Speaker having had even six Speakerships in succession, though there have been totals of six terms.

In the Senate the desk of Lieut.-Gov. Bruce was profusely decorated, as were those of several well-known Senators. Assemblyman Rogers, the Republican leader, was among those recognized in this way.

The Senate convened at 11:30. In both houses the nominees of last night's Republican caucuses were elected. Senator John Raines, of Ontario, being chosen President pro tem. of the Senate, and S. Fred Nixon, of Chautauque, Speaker of the Assembly.

The Democratic Senators caucused this morning, and in the Senate supported, as the caucus nominees, Senator Thomas P. Grady, of New York, for President pro tem.; John H. Douglas, of Kings, for Clerk; Robert McMahon, of Queens, for Sergeant-at-Arms. Senator Foley, of New York, presided, and ten Democrats Senators attended.

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Now if the Commissioner wants to hold the contractor to his signature he can do so, but the blunder has caused a tempest in a teapot. The bids were to have been disposed of to-day, but because of the transposition a controversy was established which has caused a postponement of all affairs pertaining to the awarding of the final contract.

In His First Message to the Legislature the New Executive Calls for Better Methods of Preventing Colonization and Fraud in the Cities of the State.

ALBANY, Jan. 4.—Gov. Higgins's first message was sent to the Legislature and read in both houses to-day. The message opens with an exhaustive digest of the State debt, which at the close of the fiscal year amounted to \$9,410,660. The Sinking Fund at the end of the fiscal year, amounting to almost \$4,000,000, reduces the canal debt that amount, making a similar reduction in the total State debt.

The total receipts of the State Treasury for the year ending Sept. 30 last were \$25,548,962.98, while the payments for the year were \$26,533,757.15 in excess of this. The actual available surplus on Oct. 1 last was \$5,763,236.62. The total appropriations in force at that date amount to \$2,318,239.07 more than the income of the last fiscal year which was applicable to the payment of appropriations, so that with the same revenue as last year there would be this excess of expenditures over receipts which must be met from the surplus. The Comptroller estimates that the revenues for the present fiscal year applicable to the expenses of government will show a decided falling off unless provision be made by law for increased revenue from present sources or for new sources of revenue.

The Governor says that the very satisfactory conditions whereby the tax laws produce sufficient revenues for the requirements of the State is now threatened by the recent decisions of the Court of Appeals in the Fort George Realty Company case and the case of the Provident Savings Life Assurance Society. In test actions, he says, the corporations have succeeded in obtaining construction of the corporation tax laws favorable to themselves which not only reduce current receipts by large sums, but establish new rules for future assessments at variance with the practice of the State in the past.

These decisions, the Governor says, are a great disappointment and surprise to the State authorities. The Comptroller estimates the loss at, approximately, \$750,000. He further estimates that there will be a shrinkage in the receipts from the transfer tax of \$1,000,000.

With the ordinary expenses of the present year necessarily large, the Governor says that the State is confronted with a condition calculated to cause it to consider with the utmost care the problem of adjusting receipts to expenditures. It is obvious, says the Governor, that a crisis is at hand, and that provision should be made to avert it.

One of the remedies that the Governor suggests is that appropriations for the coming session of the Legislature so far as possible be treated as a single act. They should not call for more than \$22,000,000, which will call for serious reductions in certain directions.

"I am aware," says the Governor, "that while economy in the abstract is universally commended, the application of the principle to particular instances is surrounded with difficulties, and I sincerely trust that a patriotic and unselfish consideration of the problem will lead to the adoption of the measures suggested."

The Governor recommends a repeal of the law taxing the surplus and undivided profits of savings banks on the ground that the operation of this law appears to be a tax on depositors. This, he says, will mean a loss in revenue of \$750,000, which must be made up.

The Governor recommends immediate legislation for the taking of the State census in May and June next as provided in the Constitution, so that the Secretary of State may be ready for the work at the earliest possible date.

Referring to the centralized control of the fourteen State hospitals for the insane the Governor says that while the advantages of centralized control of the financial operations of the hospital is evident the care of the 25,019 patients should rest upon a broad basis of public interest and public confidence and should retain the co-operation of philanthropic citizens. This can best be secured, he says, by leaving the control of all financial matters with the Lunacy Commission and turning the internal affairs of each hospital over to a board of managers, who should be subject to the supervision of the State Board of Directors.

The Governor says that the rapid growth of the population of the insane hospitals is not so much due to an increase in insanity as to the increased practice of committing senile and feeble-minded persons to the charge of the State when their own relatives are well able to care for them. He recommends the greatest care in the future in admitting such persons to the hospitals.

On the subject of supplies for the State institutions Gov. Higgins says significantly that additional safeguards should be provided looking toward more competitive bidding in such purchases. Purchases, he says, should be made in bulk and in large quantities and from the lowest satisfactory bidder after public advertisement for bids has been given.

The Governor recommends the Legislature to consider the advisability of devising suitable means for the industrial training of the blind. Of almost \$80,000 spent in charity by the State last year, he says, less than \$5,000 was expended for the blind, and that only went for the education of blind children.

The Governor says that it is the aim of the State to guard the ballot box in the larger cities. Colonization, intimidation and false registration, he says, are the principal crimes against the franchise. While there are laws covering these points, no proper means for the protection of such crimes has been devised. The Governor recommends that in the future the elector be obliged to state the time when he voted last, in addition to where he voted from. He also recommends that provision be made for reports from the lodging-houses of the larger cities similar to those now made by hotels to the Excise Department.

The Governor also, he says, has some more perfect method of identification of naturalized citizens, and he adds that the whole subject regarding the elective franchise is one which he seriously commends for consideration. On the subject of voting at special tax elections of cities of the third class, the Governor recommends the extension and restriction of the right to vote to those residents whose names shall be on the assessment rolls without limitation as to sex. If property-holders, he says, are to have the right to vote at these tax elections, it seems but an act of justice to extend the right to women as well as men.

On the subject of canals, the Governor says that the result of the test contracts for the 1,000-ton barge canal warrants the belief that the entire construction can be completed within the engineers' estimates. The Governor expresses the hope that the estimates of damages will be equally accurate.

With the aggregate resources of all the banking institutions of the State subject to the Banking Department \$12,228,853 more than last year, the Governor recommends restrictive legislation protecting the depositor from loss caused by unsafe banking methods. Bank directors, he says, should be compelled to make periodical examinations of the books of their institutions, and should be held responsible for the thoroughness of such examinations. Building and loan associations should be prohibited from making loans on second mortgages, and the Governor adds that the attention of the business world is again attracted to the evil results of unrestricted loans by banks to favored individuals, so that the safety of depositors is made to depend upon the financial integrity of a few borrowers.

After an exhaustive digest of the revenues from liquor tax, the Governor has this to say on the general subject of excise:

"The right to determine by popular vote whether trafficking in liquors shall be permitted in a locality is now limited to the towns of the State. It is in my judgment worthy of the consideration of the Legislature whether this right of local option should not be extended to cities and the divisions thereof."

On the subject of education the Governor says that unification of the educational system is established and that the new organization is in good working order, thus terminating the unfortunate controversies which existed under the dual system.

The Governor deprecates the failure to rigidly enforce the laws on the subject of child labor. He strongly urges uniformity of legislation on this subject, in order that the condition of women and children may be ameliorated throughout the country and the industries of the State be relieved from the unfair competition with those States which place no restrictions on the subject. No child, says the Governor, should be allowed to work in any way which interferes with his school attendance before he reaches the age at which primary education ends.

The Governor especially recommends to the Legislature the consideration of the problem of prison reform, and asks for immediate provision for the transfer of imbeciles and idiots from penal institutions to places where they may receive proper treatment.

The Governor recommends the consideration by the Legislature of the development of some plan whereby municipalities may be insured a water supply at a minimum cost through State conservation of the waters of the Adirondacks. A State commission having for its object the supply of water for the cities would be of great service, he says.

ESCAPE, ONLY TO DROWN IN BAY?

Three of Four Soldiers Who Evade Guards and Swim for Liberty Believed to Have Perished, Unable to Reach Shore.

The belief is growing to-day at Fort Hamilton that the three soldiers for whom guards have scoured Brooklyn and Manhattan have been drowned, and this is the view taken by Paul Berg, one of the four men who escaped from the guard house of the Fort and plunged into the icy waters of the bay in an attempt to escape.

Berg was arrested last night in a saloon at Twenty-seventh street and Seventh avenue by Corporal Herter and three privates. He had disguised himself as much as possible by donning a civilian's suit, and when he heard that the other three men that are being searched for had not been located, he exclaimed:

"Then they are drowned. If they had half as hard a time as I did in the water they will never live to tell the tale, for they kept further from the shore."

Carefully Planned Escape.

Berg and three other privates were confined in the guard-house of Fort Hamilton with about a dozen others on minor offenses. Shortly after midnight Monday morning there was a stampede, evidently prearranged, of the horses in the stable, which is near the guard-house. While it was in progress the guard-house keepers were attending to the new emergency, and the temporary laxity of vigilance at the guard-house gave time for the four men to escape.

Berg says that he and his companions had wrenched the iron bars of their cells in order to get out, although he denies that any of the other prisoners aided in the delivery, which is the belief of the officers of the Fort. The four men jumped from the bay side of the guard-house, and, according to Berg, who tells his story with considerable bravado, ran to the water and jumped in. He says that he hugged close to the shore and swam along until he was somewhere near South Brooklyn, where he left the water, and almost froze to death before he found a fire.

Got Clothing from Friends.

He went from there to friends, who assisted him in securing a change of clothes, and from there he came to Manhattan, and as the corporal's guard suspected, was in the Tenderloin district. The three companions of Berg, so he says, struck out as if to swim further away from shore, and that is the last that he saw of them. He fears that they may have been drowned.

Two of the men with Berg were of ordinarily good character, but the other was considered a bad man, who once shot a policeman, and who doubtless arranged for his escape.

The search for the missing three men will be continued to-day.

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Lord & Taylor

Order Department.

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Tailor-made Walking Gowns at \$55.00.

LOCAL OPTION FOR CITIES OF THE STATE.

THE GOVERNOR DEPRECATES THE FAILURE TO RIGIDLY ENFORCE THE LAWS ON THE SUBJECT OF CHILD LABOR.

GOVERNOR RECOMMENDS RESTRICTIVE LEGISLATION PROTECTING THE DEPOSITOR FROM LOSS CAUSED BY UNSAFE BANKING METHODS.

GOVERNOR RECOMMENDS THE CONSIDERATION BY THE LEGISLATURE OF THE DEVELOPMENT OF SOME PLAN WHEREBY MUNICIPALITIES MAY BE INSURED A WATER SUPPLY AT A MINIMUM COST THROUGH STATE CONSERVATION OF THE WATERS OF THE ADIRONDACKS.

West 14th St. ESTD 1877